

REMARKS

Claims 2-9 are pending. Claim 2 is the only independent claim and has been amended. Favorable reconsideration is requested.

Claims 1-7 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent 6,445,932 (Soini et al). Applicants submit that amended independent claim 2 and the claims dependent thereon are patentable for at least the following reasons.

Amended independent claim 2 is directed to a folding portable communication unit which is composed of first and second cabinets and a hinge for so supporting the first and second cabinets that they are rotational around the hinge. The unit includes: first display/data-input means which displays a first information related to mobile telephone communication, inputs a first data related to the communication, and is situated on an obverse surface of the first and second cabinets, and second display/data-input means which displays a second information related to the mobile telephone communication, inputs a second data related to the communication, and is situated on a rear cover of the first or second cabinet. The second information can be watched and the second data can be inputted by a user in case that the first and second cabinets are folded in a closed position. The folding portable communication unit is only operable to permit verbal telephone communication in case that the first and second cabinets are in an open position.

In the communication unit defined by amended claim 2, the folding portable communication unit can be used as a mobile telephone, i.e., for verbal telephone communication, in an open state. The unit is not used for verbal telephone communication in the closed state. However, the simplified key unit accessible in the closed position can be utilized, e.g., for transmission of information related to mobile communication, such as e-mail, or an indication of call reception.

Soini et al. shows a foldable device that operates in a mobile telephone, i.e., closed, position, as shown in Figure 1, and in a terminal (mode), i.e., open, position, as shown in Figure 2. See col. 3, line 60 through col. 4, line 21.

According to Soini et al., even when the unit is functioning as a terminal in the open position, a built-in microphone and speaker allows a telephone conversation begun in the mobile telephone position to continue even if the unit is placed into the open position. Col. 5, lines 15-40.

However, Soini et al. is clearly in the mobile telephone mode in the closed position, and generally in the terminal mode in the open position. On the other hand, the communication unit defined in claim 2 is in the telephone mode in the open position.

That is, the communication unit of claim 2 acts as a “flip phone,” acting as a telephone for verbal communication only in the open position, but not in the closed position. Soini is not a flip phone. Rather Soini is a telephone in the closed position and a terminal in the open position.

Soini neither teaches nor suggests the feature of amended claim 2 by which the unit is operable to permit verbal telephone communication only in the case that the first and second cabinets are in an open position. For at least the foregoing reasons, amended claim 2 is believed clearly patentable over Soini.

The other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

By Joseph W. Ragusa
Joseph W. Ragusa

Registration No.: 38,586
DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP
1177 Avenue of the Americas
41st Floor
New York, New York 10036-2714
(212) 835-1400
Attorney for Applicant